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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,772	02/25/2004	Ross Bunker	BEAS-01437US1	2871
23910	7590	08/11/2006	EXAMINER PHAM, MICHAEL	
FLIESLER MEYER, LLP FOUR EMBARCADERO CENTER SUITE 400 SAN FRANCISCO, CA 94111			ART UNIT 2167	PAPER NUMBER

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/786,772	Applicant(s) BUNKER ET AL.	
	Examiner Michael D. Pham	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/3/05-4/6/06</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. Claims 1 - 28 have been examined.
2. Claims 1 - 28 are pending.
3. Claims 1 - 28 are rejected as detailed below.

Priority

The application claims domestic priority to U.S. Provisional application 60/451340.

Accordingly the application has been examined with an effective filing date of February, 28, 2003.

Claim Objections

Claims 11, 14, 18, 21, 25, and 28 objected to because of the following informalities: misnumbered sequence of limitations. Appropriate correction is required.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claims 15-21 recite a machine readable medium without defining what a machine readable medium is. For the purposes of this office action a machine readable medium will be interpreted as a storage medium recited in the specifications [0069].

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1, 8, 15, and 22 do not appear to claim a tangible result. The question is whether or not a practical application is being claimed. The claimed subject matter pertains to a user interface, at least one service, at least one extension, and extensions/service providing access to functionality of a user interface/extension. All other claims are rejected for being dependent to the claims from which they depend from.

Claims 22-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Signals are not considered to fall within one of the four statutory categories of invention. Claims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, per se, and as such are nonstatutory natural phenomena. O'Reilly, 56 U.S. (15 How.) at 112-14. Further claims 22-28 are directed to software per se.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for

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patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6920607 Ali et. al. (hereafter Ali).

Claim 1:

An extendable application framework, comprising:

a user interface [figure 3 elements 338 and 344, user interface];

at least one service [col. 10 lines 23-30, an application can be executed on a processor];

at least one extension [col. 6 lines 22 – 25, xml data files, 414];

wherein one of the at least one extensions can provide access to functionality in the user interface [Col. 14 lines 60-64, Attribute type "PERMISSIONS" defines access permission for the setting. The default value is (ALL), but some categories of users may be denied from changing certain system settings.]; and

wherein one of the at least one services can provide access to functionality in one of the at least one extensions [Abstract, The UI is dynamically generated when an application invokes the XML data files.].

Claim 2:

The framework of claim 1 wherein:

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one of the at least one extensions can utilize one of the at least one services [Abstract, The UI is dynamically generated when an application invokes the XML data files].

Claim 3:

The framework of claim 1 wherein:

an extension is an interchangeable application building block [col. 5 lines 65-66, user interfaces that are extensible, easy to redesign, and to update].

Claim 4:

The framework of claim 1 wherein: an extension can include at least one of: 1) XML (Extensible Markup Language) description; 2) a set of classes; and 3) a set of resources[abstract, XML].

Claim 5:

The framework of claim 1 wherein:

a service can include a public interface that can provide access to functionality in an extension [col. 8 lines 39-43, In response to the execution of application 418, browser 420 loads the XML data 414 and checks the data file against XML schema 410 to ensure that the XML data 414 is a valid representation of the schema's specified content.]

Claim 6:

The framework of claim 1 wherein:

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an extension can define handlers [col. 13 lines 60-65, contains an attribute id].

Claim 7:

The framework of claim 1 wherein: an extension can provide functionality to support at least one of: 1) a document type; 2) a user interface action; 3) a file encoding; 4) property settings; and 5) debugging information [Abstract, XML data files have reference links to secondary data files that contain data further defining UI (user interface) to support the user interface action].

Claim 8:

A method for configuring an application, comprising the steps of:

providing a user interface to allow user interaction with the application[figure 1, user interface];

providing at least one extension wherein the providing permits one of the at least one extensions to access functionality in the user interface[xml data files 414, Abstract, XML data files have reference links to secondary data files that contain data further defining UI (user interface)]and

providing at least one service wherein the providing permits one of the at least one services to access functionality in one of the at least one extensions[Abstract, The UI is dynamically generated when an application (services) invokes the XML data files.].

Claim 9:

The method of claim 8 wherein:

one of the at least one extensions can utilize one of the at least one services[xml data files 414, Abstract, The UI is dynamically generated when an application invokes the XML data files].

Claim 10:

The method of claim 8 wherein:

an extension is an interchangeable application building block[col. 5 lines 65-66, user interfaces that are extensible, easy to redesign, and to update].

Claim 11:

The method of claim 8 wherein:

an extension can include at least one of: 2) XML (Extensible Markup Language) description; 2) a set of classes; and 3) a set of resources [element 414, abstract, XML].

Claim 12:

The method of claim 8 wherein:

a service can include a public interface that can provide access to functionality in an extension[col. 8 lines 39-43, In response to the execution of application 418, browser 420 loads the XML data 414 and checks the data file against XML schema 410 to ensure that the XML data 414 is a valid representation of the schema's specified content.].

Claim 13:

The method of claim 8 wherein: an extension can define handlers[col. 13 lines 60-65, contains an attribute id].

Claim 14:

The method of claim 8 wherein: an extension can provide functionality to support at least one of: 2) a document type; 2) a user interface action; 3) a file encoding; 4) property settings; and 5) debugging information [Abstract, XML data files have reference links to secondary data files that contain data further defining UI (user interface) that provides support to a user interface action.].

Claim 15:

A machine readable medium having instructions stored thereon that when executed by a processor cause a system to:

providing a user interface to allow user interaction with the application[figure 1, user interface];

providing at least one extension wherein the providing permits one of the at least one extensions to access functionality in the user interface[element 414, xml data files, Abstract, XML data files have reference links to secondary data files that contain data further defining UI (user interface)]; and

provide at least one service wherein the providing permits one of the at least one services to access functionality in one of the at least one extensions[Abstract, The UI is dynamically

generated when an application (services) invokes the XML data files.].

Claim 16:

The machine readable medium of claim 15 wherein:

one of the at least one extensions can utilize one of the at least one services[Abstract, The UI is dynamically generated when an application invokes the XML data files].

Claim 17:

The machine readable medium of claim 15 wherein:

an extension is an interchangeable application building block[col. 5 lines 65-66, user interfaces that are extensible, easy to redesign, and to update].

Claim 18:

The machine readable medium of claim 15 wherein: an extension can include at least one of: 3) XML (Extensible Markup Language) description; 3) a set of classes; and 3) a set of resources [abstract, XML].

Claim 19:

The machine readable medium of claim 15 wherein:

a service can include a public interface that can provide access to functionality in an extension[col. 8 lines 39-43, In response to the execution of application 418, browser 420 loads the XML data 414 and checks the data file against XML schema 410 to ensure that the XML

data 414 is a valid representation of the schema's specified content.].

Claim 20:

**The machine readable medium of claim 15 wherein:
an extension can define handlers[col. 13 lines 60-65, contains an attribute id].**

Claim 21:

**The machine readable medium of claim 15 wherein: an extension can provide
functionality to support at least one of: 3) a document type; 3) a user interface action; 3) a
file encoding; 4) property settings; and 5) debugging information[Abstract, XML data files
have reference links to secondary data files that contain data further defining UI (user interface)
to support a user interface action.].**

Claim 22:

**A computer data signal embodied in a transmission medium, comprising:
a code segment including instructions to provide a user interface to allow user
interaction with the application[figure 1, user interface];
a code segment including instructions to provide at least one extension wherein the
providing permits one of the at least one extensions to access functionality in the user
interface[figure, 5 element 500 invokes xml, Abstract, XML data files have reference links to
secondary data files that contain data further defining UI (user interface)]; and**

a code segment including instructions to provide at least one service wherein the providing permits one of the at least one services to access functionality in one of the at least one extensions[Abstract, The UI is dynamically generated when an application invokes the XML data files.].

Claim 23:

The computer data signal of claim 22 wherein:

one of the at least one extensions can utilize one of the at least one services[Abstract, The UI is dynamically generated when an application invokes the XML data files].

Claim 24:

The computer data signal of claim 22 wherein:

an extension is an interchangeable application building block[col. 5 lines 65-66, user interfaces that are extensible, easy to redesign, and to update].

Claim 25:

The computer data signal of claim 22 wherein: an extension can include at least one of: 4) XML (Extensible Markup Language) description; 4) a set of classes; and 4) a set of resources [abstract, XML].

Claim 26:

The computer data signal of claim 22 wherein:

a service can include a public interface that can provide access to functionality in an extension[col. 8 lines 39-43, In response to the execution of application 418, browser 420 loads the XML data 414 and checks the data file against XML schema 410 to ensure that the XML data 414 is a valid representation of the schema's specified content.].

Claim 27:

The computer data signal of claim 22 wherein:

an extension can define handlers[col. 13 lines 60-65, contains an attribute id].

Claim 28:

The computer data signal of claim 22 wherein: an extension can provide functionality to support at least one of: 4) a document type; 4) a user interface action; 4) a file encoding; 4) property settings; and 5) debugging information [Abstract, XML data files have reference links to secondary data files that contain data further defining UI (user interface)].

Conclusion

The prior art made of record listed on PTO-892 and not relied, if any, upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael D. Pham whose telephone number is (571)272-3924. The examiner can normally be reached on Monday - Friday 9am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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